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MAY 19 2004

TO: Steven Wong, Examiner, USPTO

FROM: John Thomas Gilmour (Customer No. 038400)

RE: Art Unit 3711 (Application No. 10/605,386)

DATE: May 19, 2004

Thanks for returning my call this morning. As I stated on the telephone, this is our first submission, so please let us know if we are not following proper protocol.

Todd McClory Gilmour (inventor) and I consider the proposed art unique because:

1. Depth marks can be easily seen and differentiated by the golfer as the tee is inserted into the ground. Depth marks are few and simple and not a complicated combination of symbols, colored areas, indentations, or raised areas.
2. Additional items such as cylinders, collars or disks are not needed.
3. Proposed art can be applied to most commonly used golf tees economically using current technology.

We offer the following critiques of the prior art that was cited in the claim rejection.

Blosser (Patent No. 5,356,146, dated Oct. 18, 1994): The Blosser tee uses eleven stripes evenly spaced down the tee shaft whereas the proposed art uses three stripes with variable spacing. The proposed art is much more practical in that spacing can be optimized to fit various golf tee shaft heights and golf club face dimensions. In addition, visual location of the desired depth mark during the insertion process is much easier in the case of the proposed art as compared to the complicated Blosser tee.

Anderson (Patent No. 5,890,976, dated Apr. 6, 1999): The proposed art uses marks or symbols directly on the tee shaft not on a cylinder into which the tee is inserted as in the Anderson tee. The Anderson tee is inconvenient and difficult to use because: a) it slows play as the golfer must consistently insert the tee into the cylinder and, b) the added circumference on the golf tee shaft will make the tee more difficult to insert, especially in hard ground. The proposed art uses a tee in the conventional manner.

Cabot (Patent No. 3,114,557 dated Dec. 17, 1963) or Antonious (Patent No. 3,203,700 dated Aug. 31, 1965) or Kirikos (Patent No. 3,408,079 dated Oct. 29, 1968) or Strong (Patent No. 5,672,122 dated Sep. 30, 1997): Each employs a two part system, a tee with notches or protrusions and a collar or disk. The collar or disk is placed on the tee and used to limit insertion depth. This is an expensive and impractical way to control depth of insertion of the golf tee. The proposed art uses notches or protrusions on the tee without the collar or disk to determine depth of insertion, a much simpler and inexpensive approach.

We look forward to your reply.